



PATENT
Attorney Docket No.: DIVER1100-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robertson, et al.
Application No.: 09/884,889
Filed: June 19, 2001
Title: CATALASES

Art Unit: 1643
Examiner: Unassigned

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed August 20, 2001,
enclosed are:

1. A copy of the Notice to File Missing Parts of Application (2 pages);
2. An executed Declaration For Patent Application (4 pages);
3. An executed Power of Attorney by Assignee (1 page);
4. Request for Corrected Filing Receipt (4 pages);
5. Preliminary Amendment (12 total pages including: eight drawing sheets and two pages of previously submitted transmittal);
6. Statement Under 37 C.F.R. §§ 1.82(f) and (g) (1 page);
7. Verified Statement Under 37 C.F.R. § 1.821(f) (1 page);
8. Sequence Listing (9 pages)
9. Disk containing sequence listing
10. Check in the amount of \$1,979.00;
11. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on October 10, 2001, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231

Karen LePari
Karen LePari

In re Application of:
Robertson, et al.
Application No.: 09/884,889
Filed: June 19, 2001
Page 2



PATENT
Atty Docket No.: DIVER1100-4

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Large Entity	Small Entity		Small Entity	Large Entity
Total Claims	92-20	=	72	X	\$18	\$ 9	=	\$648.00	\$ 0.00
Independent Claims	31-3	=	18	X	\$84	\$42	=	\$756.00	\$ 0.00
Multiple Dependent Claims Presented: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					\$280	\$140		\$140.00	
					BASIC FEE			\$370.00	\$740.00
					TOTAL FEE			\$1,914.00	\$ 0.00

XX Enclosed is a check in the total amount of \$1,979.00 which includes \$1,914.00 as filing fee and \$65.00 as payment for the surcharge fee for missing parts of the application. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: October 10, 2001

Lisa A. Haile, J.D., Ph.D.
Registration No.: 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1600
San Diego, California 92121-2189
USPTO Customer Number 28213



Attorney cket No.: DIVER1100-4

Receipt
Box 56
✓

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robertson *et al.*
Serial No.: 09/884,889
Filed: June 19, 2001
Title: CATALASES

Art Unit: 1643
Examiner: Unassigned.

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

The filing date needs to be corrected from June 18, 2001 to **June 19, 2001**. A copy of the Express Mail receipt number EL617044316US showing a deposit date of June 19, 2001 is attached.

The inventors' residence needs to be added:

Dan E. Robertson, **Solana Beach, California;**

Indrajit Sanyal, **Bethesda, Maryland;**

Robert Adhikari, **Voorhees, New Jersey**

Inventor Robert Adhikari's last name needs to be corrected from Adhikary to **Adhikari.**

Applicant respectfully requests the change be made of record.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on October 10, 2001, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231

Karen LePari

Karen LePari


Robertson *et al.*
Application No.: 09/884,889
Filed: June 19, 2001
Page 2

Attorney Docket No.: DIVER1100-4

No fee is believed due in connection with the filing of this response. However, if any fee is deemed necessary, the Commissioner is authorized to charge (or apply any credits to) Deposit Account No.: 50-1355. The Examiner is invited to contact Applicant's undersigned representative if there are any questions related to this matter.

Respectfully submitted,

Date: October 10, 2001



Lisa A. Haile, Ph.D.
Reg. No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2189
Customer Number: 28213

RECEIVED

Page 1 of 3

AUG 23 2001

GRAYCARY/GT.PATENT
UNITED STATES PATENT AND TRADEMARK OFFICECOMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/884,889	06/18/2001	1643	0.00	DIVER1100- 4	6	92	21

CONFIRMATION NO. 1715

FILING RECEIPT



OC00000006447734

GRAY CARY WARE & FREIDENRICH LLP
Suite 1600
4365 Executive Drive
San Diego, CA 92121-2189

Date Mailed: 08/20/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Solana Beach, California
Dan E. Robertson, ~~Residence Not Provided~~;
Indrajit Sanyal, ~~Residence Not Provided~~;
Robert S. Adhikari, ~~Residence Not Provided~~;
Bethesda, Maryland
Adhikari
Voorhees, New Jersey

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/412,347 10/05/1999
WHICH IS A CON OF 08/951,844 10/16/1997 PAT 6,074,860
WHICH IS A DIV OF 08/674,887 07/03/1996 PAT 5,939,300

Foreign Applications

If Required, Foreign Filing License Granted 08/17/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

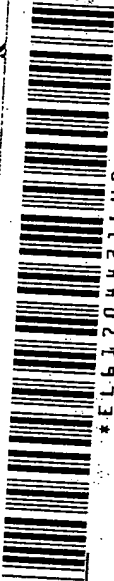
Title

Catalases

POST OFFICE TO ADDRESSEE



UNITED STATES POSTAL SERVICE™



EL617044316US

EL617044316US

ORIGIN (POSTAL USE ONLY)
PO ZIP Code

Day of Delivery	Flat Rate Envelope	Postage	Return Receipt Fee	COD Fee	Insurance Fee
Next <input type="checkbox"/> Second <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM <input type="checkbox"/>	<input type="checkbox"/>	\$16.00			
Time in AM <input type="checkbox"/> PM <input type="checkbox"/>					
Weight 1.0 lbs.					
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>					
Int'l Alpha Country Code					
Acceptance Clerk Initials					
Total Package Weight					

CUSTOMER USE ONLY
METHOD OF PAYMENT

Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: (PLEASE PRINT)

GRAY CARY WARE & FREIDENRICH
4365 EXECUTIVE DR STE 1000
SAN DIEGO CA 92121-2101
LAH/21489
DIVER1100-4
104703-990000

PHONE 619 577 1400

TO: (PLEASE PRINT)

ASSISTANT COMMISSIONER
FOR PATENTS
WASHINGTON DC 20231-9999

PHONE

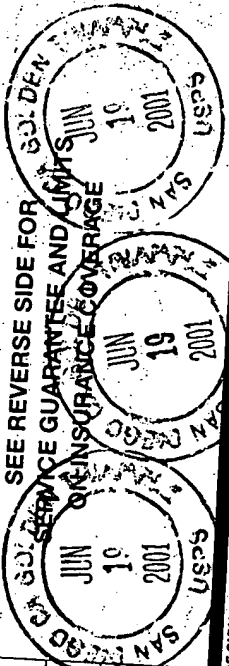
PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

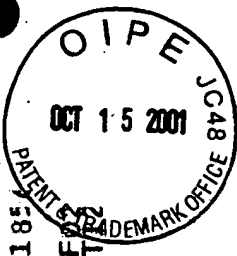
WWW.USPS.GOV



Customer Copy
Label 11-F July 1997



SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND
INSURANCE COVERAGE



Mailing Label
Label 11-F July 1997

AUG 23 2001


 GRAYCARY/GT.PATENT
 UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/884,889	06/18/2001	Dan E. Robertson	DIVER1100-4

OCT 15 2001

CONFIRMATION NO. 1715

FORMALITIES LETTER



OC000000006447735

 GRAY CARY WARE & FREIDENREICH LLP
 Suite 1600
 4365 Executive Drive
 San Diego, CA 92121-2189

Date Mailed: 08/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.

Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- Total additional claim fee(s) for this application is \$3402

- \$1692 for 14 total claims over 20.

- \$1440 for 18 independent claims over 3.

- \$270 for multiple dependent claim surcharge.

- The oath or declaration is missing.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 4242.

10/17/2001 BSAYAS11 00000041 09884889

01 FC:201

370.00 OP

02 FC:202

756.00 OP

03 FC:203

648.00 OP

04 FC:204

140.00 OP

05 FC:205

65.00 OP

01/09/2002 HPRASASD 00000007 09884889

01 FC:203

198.00 CH

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE